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INFO RUEHGB/AMEMBASSY BAGHDAD IMMEDIATE 0532
RUEKJCS/SECDEF WASHDC PRIORITY

C O N F I D E N T I A L KUWAIT 000235

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FOR NEA/ARPI AND S/WCI

E.O. 12958: DECL: 01/23/2016
TAGS: [PTER](#) [PREL](#) [PGOV](#) [KU](#)
SUBJECT: KUWAITI DETAINEES IN GITMO AND IRAQ: ARB DEMARCHE
DELIVERED; GOK AGAIN ASKS ABOUT PRISONERS IN IRAQ

REF: A. STATE 10549
[1](#)B. KUWAIT 34
[1](#)C. 05 KUWAIT 5070

Classified By: DCM Matt Tueller for reasons 1.4(b) and (d).

[1](#)1. (U) This is an action message. See paragraphs 4, 5, and [1](#)6.

[1](#)2. (C) Summary: PolChief delivered January 24 to MFA Ambassador Khalid Al-Maqamis ref A demarche on the Administrative Review Board (ARB) procedures for Guantanamo Bay detainee Omar Rajab Amin. Al-Maqamis welcomed the information and said the GOK would respond before the proceedings began. Al-Maqamis also raised the status of the other Kuwaitis still detained in Guantanamo and repeated a request for their return to GOK custody. He expressed concern about the health of Fouzi Al-Awda and asked the U.S. to provide information on his condition. He again requested information on Kuwaitis detained in Iraq and complained that what little information he had came from the ICRC and not the U.S. He confirmed the detainees returned to Kuwait last November were being detained and asked for information on their terror-related activities so that the GOK could build a solid case against them. End Summary.

"It Would Be Best for Us Both if They Just Came Home"

[1](#)3. (C) PolChief delivered January 24 ref A demarche on the Administrative Review Board (ARB) procedures for Guantanamo Bay detainee Omar Rajab Amin (US9KU-000065DP) to Ambassador Khalid Al-Maqamis, Ministry of Foreign Affairs Director for Coordination and Follow-up. Al-Maqamis welcomed the alert, reconfirmed that any detainee returned to Kuwait would be tried, and said the GOK and Amin's family would respond to the questions posed before the February 19 proceedings.

[1](#)4. (C) Al-Maqamis regretted that the other five Kuwaitis still detained at Guantanamo had not been scheduled for ARB proceedings and strongly urged the U.S. to take the necessary steps to transfer them to GOK custody. He argued that the prolonged detention was not good for either the U.S. or Kuwait and was concerned that the issue would damage bilateral relations. He said he was regularly asked by Members of Parliament about the health of and charges against the Kuwaiti detainees and the MPs doubted that the U.S. was unable to provide accurate and timely information on the conditions of those detained. He specifically raised the status of Fouzi Khalid Abdullah Al-Awda (US9KU-000232DP) whom he claimed had been admitted to the hospital and suffered from severe malnutrition. Action request: Please provide post with a status report on the condition of Al-Awda.

Who is He ... Rambo?

15. (C) Al-Maqamis also restated his request for information on two Kuwaiti citizens detained in Iraq: Abdelraham Mobarak Meshakhas Al-Bathali (ISN 157245) and Ali Awad Faraj Farjee Al-Harbi (ISN 166970) (ref B). He was concerned that reports of Al-Bathali's transfer from Camp Bucca to a prison reportedly in Kurdish territory came from the boy's father and the ICRC and not the U.S. Questioning the perceived secrecy surrounding Al-Bathali's detention, the charges against him, and his recent transfer, Al-Maqamis asked, "Who is he... Rambo?" and asked for specific information on the threat posed to U.S. and coalition forces. Referring to Kuwait's complex history with Iraq, he feared for Al-Bathali's safety if housed with Iraqi prisoners. Action request: Post requests information, releasable to Kuwait, on the charges against Al-Bathali and his reported transfer. Post also requests information on Al-Harbi who was reportedly transferred to Iraqi custody and sentenced to 15 years in jail.

GOK Needs Help to Try the GITMO 5

16. (C) Turning to the trial of the five detainees released to Kuwaiti custody in November 2005. Al-Maqamis explained that pre-trial investigations continued and the GOK would welcome their files in order to build a strong case against them (ref C). Action request: Post restates its request for information that can be released to the GOK for the trial of Guantanamo detainees returned to GOK custody.

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<http://www.state.sgov.gov/p/nea/kuwait/>

You can also access this site through the
State Department's Classified SIPRNET website

LeBaron